

### REMARKS

Applicant makes this Preliminary Amendment prior to examination and without prejudice or disclaimer of any excluded subject matter, and expressly reserves the right to pursue such subject matter in this application or in one or more continuing applications.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 426882006000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 28, 2003

Respectfully submitted,

By Katherine Lee

Katherine Lee

Registration No.: 44,865

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105

Telephone: (415) 268-6983

Facsimile: (415) 268-7522